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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,974	03/15/2004	Bryan A. Scott	19001.00091	2556
7590      02/05/2008				
Steven Thrasher 391 Sandhill Dr. Richardson, TX 75080			EXAMINER SHAPIRO, LEONID	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 02/05/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/801,974

Applicant(s)

SCOTT, BRYAN A.

Examiner

Leonid Shapiro

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. There is no need to cite/ discuss MPEP patent laws in the specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haken (7,124,374 B1) in view of Weinzierl et al. (US Pub. 20010040561).

As to claim 1, Haken discloses an apparatus comprising:

- a port (fig. 1, item 202, col. 3, lines 1-3);
  - a processor coupled to the port (fig. 1, item 10,202, col. 2, lines 18-62);
  - the port (fig. 3, item 202) adapted to couple with a handheld computer (fig. 3, items 200, co. 2, lines 66-67);
  - the second port coupled to processor (fig. 1, item 10,14, col. 2, lines 18-42);
  - the second port adapted to communicatively couple with an input device (fig. 1, item 14);
  - the input device comprising a mouse (fig. 1, item 14, col. 2, lines 26-28);
  - a code that enables the input device coupled to the second port to communicate with a handheld computer coupled to the port (fig. 2, items 102,302, col. 3, lines 52-55).
- Haken does not disclose the processor having a memory.

Weinzierl et al. teaches the processor having a memory (fig.3, item 440, par. 0030).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Weinzierl et al. into Haken system in order use sophisticated operating system (col. 2, lines 49-51 in the Haken reference).

As to claim 16, Haken discloses an apparatus comprising:

- a port (fig. 1, item 202, col. 3, lines 1-3);
- the port (fig. 3, item 202) adapted to couple with a handheld computer (fig. 3, items 200, co. 2, lines 66-67);
- a processor coupled to the port (fig. 1, item 10,202, col. 2, lines 18-62);
- the second port coupled to processor (fig. 1, item 10,14, col. 2, lines 18-42);
- the second port adapted to communicatively couple with an input device (fig. 1, item 14);
- a third port (fig. 1, item 226);
- the third port adapted to couple to a second input device (fig. 1, items 230, col. 2, lines 29-35);
- the input device comprising a mouse (fig. 1, item 14, col. 2, lines 26-28);
- a code that enables the input device coupled to the second port to communicate with a handheld computer coupled to the port, the code is adapted to display a mouse cursor on a handheld computer display (fig. 2, items 102,302, col. 3, lines 52-55).

Haken does not disclose the processor having a memory.

Weinzierl et al. teaches the processor having a memory (fig.3, item 440, par. 0030).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Weinzierl et al. into Haken system in order use sophisticated operating system (col. 2, lines 49-51 in the Haken reference).

As to claims 2,5 Weinzierl et al. teaches an apparatus wherein the port is a Universal Serial Palm Connector (fig. 3(410), page 4, [0045]).

As to claim 3, Weinzierl et al. teaches a day planner portfolio system wherein the system memory includes read only memory (ROM) that stores program algorithm to process data. Therefore it would be obvious that the processor is an embedded processor.

As to claims 4,17, Haken teaches the code is adapted to display a cursor on a handheld computer display (fig. 2, items 102,302, col. 3, lines 52-55 and col. 2, lines 49-51).

As to claims 6-8, Haken teaches the second port is a PS2 port (fig. 1, item 203, col. 2, lines 38-45 and col. 3, lines 3-5).

As to claim 9, Haken et al discloses a third port adapted to couple to a second input device (fig. 1, items 230, col. 2, lines 29-35).

As to claim 10, Haken teaches the second port is adapted to communicate with an input device via a short range radio signal (fig. 1, items 240,245, col. 2, lines 40-47).

As to claim 11-12, Haken teaches a keyboard interface that converts a mouse or a keyboard input value received on the second port into a signal representing that input

value for a handheld computer coupled to the port (fig. 2, items 102,302, col. 3, lines 52-55 and col. 2, lines 49-51).

As to claim 13, Weinzierl et al teaches an apparatus wherein the network connection is Bluetooth (par. 0045).

Weinzierl et al. and Haken do not disclose a virtual communication driver (VCD) in communication with the memory, the VCD resident on a handheld computer.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a virtual communication driver for communication with the memory using Bluetooth as example.

As to claim 14, Weinzierl et al teaches the handheld computer is a smart phone (par. 0028).

As to claim 15, Haken teaches the handheld computer is a personal digital assistant (fig. 1, item 200, col. 2, lines 29-35).

8. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haken in view of Ahern (7,269,680 B1).

As to claim 11, Weinzierl et al. discloses an apparatus comprising a second port (fig. 7(730), page 4, [0042]) coupled to the processor (fig.3(420), page 3, [0029]) and integrated with the keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system).

Weinzierl et al. does not teach a device that is coupled with a mouse.

Sherman teaches a communication system including a mouse (fig. 2(102)).

Therefore, it would have been obvious to one skill in the art at the time the invention was made to combine Sherman's communication system with the wireless planner system of Weinzierl et al. to build a handheld computer in order to control the display elements using mouse cursor.

As to claim 14, Weinzierl et al discloses an apparatus comprising: a port integrated within a keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system);

the port (fig. 3(410), page 4, [0045]) adapted to couple with a handheld computer (fig. 3(110), page 3, [0029], PDA);

a processor (fig.3(420), page 3, [0029]) maintained in the keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system),

the processor (fig.3(420), page 3, [0029]) coupled to the port;

a network interface (fig.3(410), page 3, [0029]) coupled to the processor (fig.3(420), page 3, [0029]);

at least one keyboard key (fig. 3(400), page 3, [0029]) coupled to the processor (fig.3(420), page 3, [0029]);

a second port (fig. 7(730), page 4, [0042]) coupled to the processor (fig.3(420), page 3, [0029]) and integrated with the keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system);

the second port (fig. 7(730), page 4, [0042]) adapted to communicatively couple with an input device;

the processor (fig. 3(420), page 3, [0029]) having memory (fig. 3(440), page 3, [0030]);

and the memory (fig. 3(440), page 3, [0030]) stores a code that enables the input device coupled to the second port (fig. 7(730), page 4, [0042]) to communicate with a handheld computer (fig. 3(110), page 3, [0029], PDA) coupled to the port .

Weinzierl et al. does not teach a device that is coupled with a mouse and code to adapt a display mouse cursor.

Sherman teaches a communication system including a mouse (fig. 2(102)).

Therefore, it would have been obvious to one skill in the art at the time the invention was made to combine Sherman's communication system with the wireless planner system of Weinzierl et al. to build a handheld computer in order to control the display elements using mouse cursor.

As to claim 15 and 16, Weinzierl et al. teaches a wireless device with 802.11 (pages 4-5, [0045]). It is well known in the art that an 802.11 signal is a short-range radio signal.

As to claim 17 and 19, Sherman teaches an apparatus wherein the memory (fig. 3(440), page 3, [0030]) comprises a mouse interface (fig. 2(102), page 3, [0034]) that converts a mouse input value received on the second port (fig. 7(730), page 4,

[0042]) into a signal representing that input value for a handheld computer (fig. 3(110), page 3, [0029], PDA) coupled to the port.

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinzierl et al. (US Pub. 20010040561) in view of Sherman (US Pub. 2004/0161111) and in further view of Snow et al. (US Patent 6546434).

As to claim 18, Weinzierl et al. (as modified by Sherman) teaches a handheld computer. Weinzierl et al. (as modified by Sherman) does not teach a virtual communication driver.

Snow et al. discloses a virtual communication driver (fig. 1(16), VCOMM).

Therefore, it would have been obvious to one skill in the art at the time the invention was made to combine the virtual communication driver of Snow et al. with the handheld computer of Weinzierl et al. (as modified by Sherman) to build a handheld computer with a virtual communication driver on it in order to enable communication between windows operating system and software applications.

10. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinzierl et al. in view of Sherman (US Pub. 2004/0161111) and in further view of Ahern (7,269,680 B1).

As to claim 20, Weinzierl et al. teaches a method in a computer system, comprising: a first port (fig. 3(410), page 4, [0045]) integrated with a keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system),

the first port (fig. 3(410), page 4, [0045]) also being coupled to a processor (fig. 3(420), page 3, [0029]) maintained in the keyboard form factor (fig. 3(400), page 3, [0029], day planner portfolio system);

automatically enabling an input device coupled to a second port to communicate with a handheld computer (fig. 3(110), page 3, [0029], PDA) coupled to the first port (fig. 3(410), page 4, [0045]);

wherein the first port (fig. 3(410), page 4, [0045]) and the second port (fig. 7(730), page 4, [0042]) are integrated within a keyboard (fig. 3(460), page 3, [0031]).

Weinzierl et al. does not teach a device with a mouse and the first and second ports on a single cradle.

Sherman teaches a communication system including a mouse (fig. 2(102), [0034] – [0035]).

Ahern teaches the first and second ports on a single cradle (fig. 5, items 130, 132, 134, col. 9, lines 43-59).

Therefore, it would have been obvious to one skill in the art at the time the invention was made to combine Sherman's communication system with the wireless planner system of Weinzierl et al. and further combine the first and second ports on a single cradle of Ahern with Weinzierl et al. (as modified by Sherman) to build a

handheld computer in order to control the display elements on handheld computer using enable communication in expended computing device (Ahern, title).

As to claim 19, it would be obvious for a software system disabling the input elements of a handheld computing device that is coupled to the first port when prior to the act of automatically enabling.

As to claim 20, it would be obvious for a software system disabling the second port when a sync c0mmand s received.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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LS  
01.19.08



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